

**Judiciary Committee Public Hearing
March 9, 2020**

**Testimony of Bob De Cosmo
Manager, TenantTracks & President, CT Property Owners Alliance**

In Opposition to SB 403 and HB 5019

Honorable Judiciary Committee Members,

I operate a consumer reporting agency in Connecticut called TenantTracks. I also represent the views of nearly one thousand landlords, Real Estate agents and investors as the President of the CT Property Owners Alliance.

Criminal record erasure proposals, SB403 and HB 5019 will impact not only resident screening accuracy, most importantly they also impact the public's safety in a dangerous fashion.

While I do understand the view that the proponents have for criminal record erasure...however, based solely on the passage of time, this logic is flawed and the public will be at a higher degree of risk of becoming a victim of a criminal act; I ask that you oppose these Bills for several additional reasons.

1. The lookback period is inadequate as it is tied to the "Date of Adjudication." It's possible a person can be adjudicated to prison, then into a half-way house and then put on parole for a total of 7 years inclusive. There is not enough passage of time fame to prove they are rehabilitated, especially if they had numerous prior convictions.

2. The advocates said publicly they want a "3-year lookback without any carve outs." This means these proposals will surface yearly. The safest way to deal with criminal records is follow the HUD guidelines and not institute our own laws in CT. HUD says a rental decision involving criminal records needs to be an individual assessment based upon a complete examination of all the facts. Depriving an examination of all the facts (prior records) in a leasing decision is needless risk.

3. We fear criminals from nearby States would find Connecticut a haven to relocate to and ply their lawlessness creating another risk factor. While not intended to be a tool for tenant screening many do use the CT Judicial look-up to process rental applications. If a convicted felon is moving in from another state to Connecticut, there would be no record of that person's criminal activities and some housing providers will make uninformed decision putting their other residents and public at risk.

4. You one must consider more than the passage of time since sentence completion (not the date of adjudication), one must also consider the number of criminal convictions

or times on the docket and factor into the equation the crime's severity. Then and only then can we begin to discuss whose records should be truncated from public view; you need an algorithm and I would be willing to help create that.

5. These proposals will not help justice involved applicants obtain housing, but hinder their attempts to find housing, this is what the preliminary data from employment opportunities is suggesting with the Ban the Box laws.

6. There are few these proposals will benefit. Our results indicated last year of the nearly 10,000 background checks we ran;

- 94.6% of all applicants had no criminal history
- Only 2.2% had 3 or more convictions
- 1.1% had 10 or more
- 0.9% had 12 or more.

There are not enough people being impacted to place Connecticut's residents at such a risk to their health, safety and welfare. Worse, career criminal with multiple convictions would be shielded; this is unacceptable.

7. Jobs is what is really needed to help justice involved applicants obtain housing. Without a steady source of income, nobody gets to rent an apartment in non-public housing. Maybe CT needs to produce more transitional housing than expose the free market to a new risk they are not prepared to deal with.

8. Housing Providers need cash flow to pay operating expenses. They find ways to make things work because empty units do not pay the bills. Housing Providers do not reject applicants because they have had some minor missteps with the law but they are obligated to protect their residents from harm and these Bills increase the risk of harm.

Finally, my personal fear as an owner of a consumer reporting agency is these proposals will disrupt accurate rental screening. **If we can't show a person's true criminal history, rental housing providers will turn to the internet** with its forever available information to get more facts and will also use *non-FCRA regulated and unverified information* to make leasing decision producing inaccurate results. This also will deprive all rental applicants of their rights under the Fair Credit Reporting Act.

Sincerely,

Bob DeCosmo